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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 VESTER LEE PATTERSON, aka ) Case No. CV 08-2812-GHK(RC)  
12 VESTER LEE PATERSON, )  
13 )  
14 Petitioner, )  
15 vs. ) ORDER ADOPTING REPORT AND  
16 ) RECOMMENDATION OF UNITED STATES  
17 ) MAGISTRATE JUDGE AND ORDER DENYING  
18 D.K. SISTO, LEROY D. BACA, ) CERTIFICATE OF APPEALABILITY  
19 )  
20 Respondents. )  
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18 Pursuant to 28 U.S.C. Section 636, the Court has reviewed the  
19 petition and other papers along with the attached Report and  
20 Recommendation of United States Magistrate Judge Rosalyn M. Chapman,  
21 as well as petitioner's objections, and has made a de novo  
22 determination.  
23

24 IT IS ORDERED that: (1) the Report and Recommendation is  
25 approved and adopted; (2) the Report and Recommendation is adopted  
26 as the findings of fact and conclusions of law herein; and (3)  
27 Judgment shall be entered denying the petition for writ of habeas  
28 corpus and dismissing the action with prejudice.

1 This Court finds an appeal would not be taken in good faith,  
2 and that petitioner has not made a substantial showing that he has  
3 been denied a constitutional right, for the reasons set forth in the  
4 Report and Recommendation of the United States Magistrate Judge;  
5 accordingly, a certificate of appealability should not issue under  
6 28 U.S.C. § 2253(c)(2) and Fed. R. App. P. 22(b). Slack v.  
7 McDaniel, 529 U.S. 473, 483, 120 S. Ct. 1595, 1604, 146 L. Ed. 2d  
8 542 (2000); Mayfield v. Calderon, 229 F.3d 895, 900 (9th Cir. 2000).  
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10 IT IS FURTHER ORDERED that the Clerk shall serve copies of this  
11 Order, the Magistrate Judge's Report and Recommendation and Judgment  
12 by the United States mail on petitioner.  
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14 DATED: 9/12/10

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18 GEORGE H. KING  
19 UNITED STATES DISTRICT JUDGE  
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